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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, Washington, D.C., 20231, on the date indicated below.

BY: Helene Isabel

DATE: November 15, 2001

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re:	Patent Application of Ian Hector Frazer <i>et al.</i>	: ATTENTION: : BOX MISSING PARTS
Conf. No.:	4929	: :
Appln. No.:	09/900,345	: :
Filed:	July 6, 2001	: :
For:	METHOD AND POLYNUCLEOTIDES FOR DETERMINING TRANSLATIONAL EFFICIENCY OF A CODON	: Attorney Docket : No. 10338-5 US : (2423066/VPA)



**TRANSMITTAL OF MISSING PARTS OF APPLICATION**  
**FILING DATE GRANTED**

In response to the Notice to File Missing Parts dated September 27, 2001, we submit herewith the following:

- Copy of the Notice to File Missing Parts of Application -- Filing Date Granted, mailed September 27, 2001.
- No Notice to File Missing Parts has been received.
- Executed Declaration and Power of Attorney.
- Verified English translation of application as filed.
- Priority document(s): Certified copy(ies) of \_\_\_\_\_ patent application No(s). \_\_\_\_\_, filed in \_\_\_\_\_ on \_\_\_\_\_ from which priority is claimed under 35 U.S.C. § 119.
- Formal drawings: \_\_\_\_\_ sheets
- Information Disclosure Statement, PTO-1449, and cited references.
- Preliminary Amendment.
- Nucleotide and/or Amino Acid Sequence Submission, including:
  - Computer readable copy
  - Paper Copy
  - Verified Statement

- Petition for Extension of Time along with requisite fee.
- Request for Refund.
- Request for Corrected Filing Receipt. Attached is a marked-up copy of the Filing Receipt showing corrections.
- Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as  an Independent Inventor, or  a Small Business Concern, or  a Non-Profit Organization.
- Other: N/A

			SMALL ENTITY				LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE: \$370.				BASIC FEE: \$740	
Total	-20 =		X9	\$	OR		X18	\$
Independent	- 3 =		X42	\$	OR		X84	\$
<input type="checkbox"/> Multiple Dependent Claims Present			\$140	\$	OR		\$280	\$
			<b>TOTAL</b>	<b>\$</b>	<b>OR</b>		<b>TOTAL</b>	<b>\$</b>

- The following fees noted below are being paid.
  - Surcharge of **\$65** for late filing of filing fee and/or Declaration and Power of Attorney.
  - Surcharge of **\$130** for late filing of English translation.
  - Extension of Time fee in the amount of **\$ \_\_\_\_ .00** (Petition for Extension of Time is attached).
  - Filing Fee in the amount of **\$ \_\_\_\_ .00** calculated above.
- Enclosed is our firm's check in the amount of **\$ 65.00** for the above fee.
- The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-1017 (**Billing No. 210338.0005**) as noted below. A duplicate copy of this sheet is enclosed.
  - The above-calculated fee(s) calculated totaling **\$ \_\_\_\_ .00**.
  - Any overpayments or deficiencies in the above-calculated fee(s).
  - Any additional fees required under 37 C.F.R. § 1.16 or § 1.17.

In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

**CORRESPONDENCE ADDRESS**

Nov. 15, 2001

(Date)

By:

Alan S. Nadel

**ALAN S. NADEL**

Registration No. 27,363

**AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.**

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ASN:hg

Enclosures

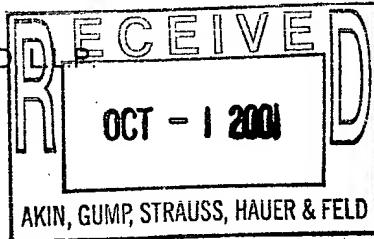


## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/900,345	07/06/2001	Ian Hector Frazer	10338-5US

000570  
AKIN, GUMP, STRAUSS, HAUER & FELD  
ONE COMMERCE SQUARE  
2005 MARKET STREET, SUITE 2200  
PHILADELPHIA, PA 19103



CONFIRMATION NO. 4929

FORMALITIES LETTER



\*OC00000006799545\*

Date Mailed: 09/27/2001



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

APN  
DOCKETED

OCT - 2 2001

ON PATTSY

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

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DEADLINE:

11/27/01

*A copy of this notice **MUST** be returned with the reply.*

(W)

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Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 1 - ATTORNEY/APPLICANT COPY



#7

Re: Helene Gabel thereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, Washington, D.C., 20231, on the date indicated below.

BY: Helene Gabel

DATE: November 15, 2001

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re:	Patent Application of Ian Hector Frazer <i>et al.</i>	: ATTENTION: : <b>BOX MISSING PARTS</b>
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**COMMUNICATION**

Applicants in the above-identified application received a Notice to File Missing Parts of Nonprovisional Application – Filing Date Granted, mailed September 27, 2001 (the “Notice”), indicating that, in addition to missing an executed Oath or Declaration, the content of the computer-readable form (CRF) copy of the Sequence Listing does not comply with 37 C.F.R. § 1.822 and/or § 1.823. Although the Notice stated that a marked-up copy of the Raw Sequence Listing indicating the errors in the Sequence Listing was attached to the Notice, the marked-up copy of the Raw Sequence Listing was not received at the time of receipt of the Notice.

On October 12, 2001, in a telephone conversation involving Kristin Petherbridge, the undersigned attorney’s Scientific Advisor, and Ms. Monica Young in the Initial Examining Division, Dr. Petherbridge reported to Ms. Young that the marked-up Raw Sequence Listing was missing. Ms. Young revealed that some recent Notices to File Missing Parts have been sent out incomplete. Ms. Young indicated that she would send the file for the above-identified application to Mr. Kevin Little, who would prepare a Notice to Correct the Sequence Listing which will set forth a new time limit for submitting a corrected Sequence Listing. Applicants

have not yet received this Notice to Correct the Sequence Listing. Please promptly send the indicated Notice to Correct Sequence Listing.

In light of these circumstances, Applicants believe the Response to Notice to File Missing Parts of Nonprovisional Application – Filing Date Granted, which is being filed herewith, along with an executed Declaration and Power of Attorney, is complete. Applicants request that the undersigned attorney be notified in the event that there is any misunderstanding regarding the CRF copy of the Sequence Listing.

Respectfully submitted,

**IAN HECTOR FRAZER ET AL.**

Nov. 15, 2001

(Date)

By:



**ALAN S. NADEL**

Registration No. 27,363

**AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.**

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Enclosures